

338366

ORDINANCE NUMBER 1268

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO,  
RE-ZONING CERTAIN LANDS LYING WITHIN THE CITY LIMITS OF PAYETTE;  
SETTING AN EFFECTIVE DATE; SEVERABILITY; REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

SECTION 1: The following described real property with the address of 200 North 9<sup>th</sup> Street and 925 2<sup>nd</sup> Avenue North is hereby annexed into and made a part of the City of Payette, Idaho:

Gorrie's Addition as described in Book 1 of Plats at Page 19, Plat record of Payette County, State of Idaho. That portion of Block 13 described as follows:  
All of Lots 1 & 2 in Block 13 in Gorrie's Addition

SECTION 2: The above described real property is hereby zoned C-Commercial.

SECTION 3: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

SECTION 4: Any portions of any existing Ordinances which are in conflict with this Ordinance are hereby repealed insofar as the conflict exists.

SECTION 5: This Ordinance shall take effect and be in full force and effect after its adoption and publication as required by law.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS APPROVAL, PASSAGE, AND PUBLICATION AS REQUIRED BY LAW.

SIGNED and DATED this 5<sup>TH</sup> day of SEPTEMBER, 2006.

CITY OF PAYETTE

by *Douglas E. Henderson*  
Douglas E. Henderson, Mayor

Attest:

*Mary Cordova*  
Mary Cordova, City Clerk

Instrument # 338366

PAYETTE COUNTY

2006-09-07

10:05:00 No. of Pages: 2

Recorded for : CITY OF PAYETTE

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: ORDINANCE

Fee: 0.00

*Donna Atwood*  
*Misc*





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Instrument # 336688

PAYETTE COUNTY  
2006-07-07 04:58:00 No. of Pages: 1

Recorded for : AMERITITLE

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 3.00

*[Handwritten signature]*  
Deeds

IDWD

Order No. 0021402

### WARRANTY DEED

For Value Received,

DAVID J. BROWN and AGNES R. BROWN, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES H. MOORE and TIJON A. MOORE, husband and wife

GRANTEE(s), whose address is: 925 2nd Ave. N.  
Payette, Idaho 83661

the following described real property, to-wit:

The East 85 feet of Lots 1 and 2 in Block 13 of GORRIE'S ADDITION as per Plat in Book 1 of Plats at Page 19, Plat Records, Payette County, Idaho.

SUBJECT TO all those items of record, if any, as of the date of this deed and those shown below, if any

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the current year's taxes and assessments, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record and that they will warrant and defend the same from all lawful claims whatsoever.

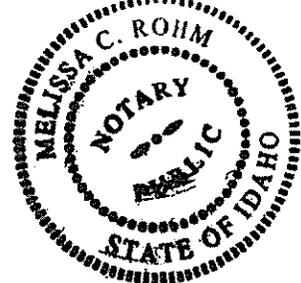
*[Handwritten signature of David J. Brown]*  
\_\_\_\_\_  
DAVID J. BROWN

*[Handwritten signature of Agnes R. Brown]*  
\_\_\_\_\_  
AGNES R. BROWN

State of Idaho )  
County of *Payette* ss

On this *7th* day of *July*, 2006 before me *Melissa C. Rohm*, a notary public in and for said State, personally appeared DAVID J. BROWN and AGNES R. BROWN known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

*[Handwritten signature of Melissa C. Rohm]*  
\_\_\_\_\_  
Notary Public  
Residing at: *Payette, Id.*  
Commission Expires: *09-03-11*





# CITY OF PAYETTE

700 Center Avenue  
Payette, ID 83661  
(208)642-6024 ~ (208)642-1412 fax

## Application for Zoning Change

Application Date 7-19-06  
Application Fee \$100.00

We, the undersigned, ask the Payette, Idaho Planning & Zoning Commission to approve a zoning change for the tract of land described below. We attest to the truth and correctness of all facts and information presented with this application and agree to pay all advertising and mail notification costs for the public hearings. The City of Payette is authorized to prepare and publish all required legal advertising and mail notifications, the cost of which is to be billed to the name listed below for payment.

Present Zoning Classification(s) B-Residential

Requested Zoning Classification C-Commercial

Type of Development:  Residential  Mixed Use

Legal Description of Property Requested to be Rezoned (attach additional sheet if needed):

E 85 FT Lots 1 & 2, BLK 13

Street Address or Other Common Property Description 925 2<sup>nd</sup> Ave North

Property Owner's Name(s) James H. Moore D.D.S.

If corporation, Corporate Official Name and Seal: \_\_\_\_\_

Mailing Address 925 2nd Ave No

Telephone Number 208-642-4782 Fax Number 208-642-1748

### PROPERTY OWNER'S SIGNATURE:

James H. Moore  
(Not necessary if there is an authorized representative. Authorized representative must sign below).

### AUTHORIZED REPRESENTATIVE:

I hereby certify that I am authorized to represent all of the property owners of the above described tract in this application. A power of attorney is attached.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

**BILL ADVERTISING AND NOTIFICATION COSTS TO:**

Name \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

**QUESTIONS ON REZONING APPLICATION (Attach additional sheets if necessary)**

1. What is the current use of the property? Dental office

2. What is the current use of the property surrounding the parcel intended for rezoning?

North: residential

South: residential / church

East: residential

West: Chiropractic office

3. Why are you requesting a change in zoning? At the request of City Hall to fit city ordinance

4. Are there any deed restrictions or restrictive covenants that would affect the use of this property? NO

If so, what are they?

5. Has a rezoning ever been requested for this property in the past by the current owner? What zoning classification was requested and when?

Not that we are aware of.

6. If the rezoning is approved, does the applicant intend to develop the property?

N/A